



State of Rhode Island
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
Shepard Building
255 Westminster Street
Providence, Rhode Island 02903-3400

Angélica Infante-Green
Commissioner

December 16, 2021

Dear Colleagues:

This letter is regarding the federal Emergency Assistance for Nonpublic Schools (EANS) program. Additional funding was earmarked in the American Rescue Plan (ARP) Act of 2021. This funding is also commonly referred to as Emergency Assistance to Non-Public Schools Program (EANS II). In total, \$6,209,666 was set aside for EANS II funding.

Similar to the administration of EANS I, EANS II funding will again be administered by the Rhode Island Department of Education. All requests to obligate funds will be reviewed and approved based upon the guidance received from the United States Department of Education (USDOE).

All schools interested in receiving assistance as part of EANS II must submit a Letter of Intent to RIDE December 27, 2021. Schools that do not submit a Letter of Intent by the deadline as directed will not be able to participate.

EANS II - Eligibility and Funding Uses – Pursuant to the federal legislation and regulations all of the provisions of the EANS I program also apply to the EANS II program, with two exceptions:

- Program Eligibility: Funds are only available to nonpublic schools that enroll a significant percentage of students from low-income families and are most impacted by the COVID emergency (whereas under the EANS I program, funds only had to be prioritized for such schools).
 - o Low-Income Student Percentage: Rhode Island requires a minimum low-income student percent of 40%. Only schools with a low-income student percentage of 40% or greater are eligible to be awarded ARP EANS funds.
 - o COVID-19 Impact: Rhode Island has selected various measures
 - The number of COVID-19 infections per capita in the community or communities served by the non-public school.
 - The number of COVID-19-related deaths per capita in the community or communities served by the non-public school.
 - Data on the academic impact of lost instructional time and the social, emotional, and mental health impacts on students attending the non-public school attributable to the disruption of instruction caused by the COVID-19 emergency; or
 - The economic impact of the COVID-19 emergency on the community or communities served by the non-public school.

- There was a significant change regarding Uses of Funds: Funds – EANS II funding no longer allows for reimbursement to any nonpublic schools. RIDE will continue to provide all assistance directly to schools or through the approved third-party vendor – FACT Education Solutions.

School Eligibility Criteria – Schools must meet all of the following six conditions to participate:

1. The school must provide verifiable enrollment data showing that 40% or more of its K-12 population for the 2019-20 school year consisted of students from low-income households.
2. The school must be a not-for-profit that serves students in grades K-12
3. The school requesting services or assistance must be approved to operate in accordance with State law.
4. The school must have been in existence prior to March 13, 2020, and be providing instruction in the current school year.
5. The school did not participate in the Small Business Administration’s Paycheck Protection Program (PPP) (15 U.S.C. 636(a)(37)) after December 27, 2020. PPP loans taken prior to December 27, 2020, have no impact on a school's eligibility to participate in EANS. After December 27, 2020, a school must choose between EANS and PPP; a school cannot participate in both. Please see additional guidance relating to PPP loans above.
6. **The school must submit a completed Letter of Intent by Monday, December 27, 2021, indicating that it intends to participate in the EANS II program and provide all requested information.**

Letter of Intent – The Letter of Intent asks for basic information about the school, confirmation of school eligibility, and information necessary to calculate school-level allocation amounts, including:

- Enrollment: Schools will report their K-12 enrollment count from 2019-20. Preschool-age student counts may not be included.
- Low-income Student Counts: Schools will report how many pupils in grades K-12 in the 2019-20 school year were from families with incomes at or below 185 percent of the federal poverty threshold. To be counted as a student from a low-income family for purposes of the EANS II program, a student must be aged 5 through 17 and from a family whose income does not exceed 185 percent of the 2020 federal poverty threshold. Examples of allowable sources of this data include free and reduced-price lunch (FRPL) counts, Federal Title I eligibility, and scholarship/financial aid applications. See guidance document for additional information.

School-Level Allocation Methodology – Allocations will be determined as follows:

- EANS II funds will be made available to eligible non-public schools based on a per pupil allocation. The calculation will be weighted to increase the per pupil amount for students from Low-Income families and those schools heavily impacted by Covid-19.
 - The per-pupil allocation will be determined once all Letters of Intent have been received and eligibility determinations made. The per-pupil amount will be based on the total amount of funding (6,209,666), less administrative costs (\$200,000). The Net amount to be allocated is \$6,009,666.00.

ARP EANS Program Timeline –The EANS II program implementation timeframes are listed below:

- RIDE releases Letter of Intent to schools – December 16, 2021.
- Deadline for schools to submit Letter of Intent – December 27, 2021.
- RIDE releases application to schools – January 17, 2022.
- Schools’ applications due to RIDE – February 7, 2021.
- RIDE review of school’s applications – February 8, 2022, thru March 7, 2021.

Applications/Requests for Services and Assistance – Through the application, a nonpublic school may request the following services to be provided:

- supplies to sanitize, disinfect, and clean school facilities.
The cost of any labor, contracts, etc., are not allowable
- personal protective equipment.
- improving ventilation systems, including windows or portable air purification systems to ensure healthy air in the non-public school.
- training and professional development for staff on sanitation, the use of personal protective equipment, and minimizing the spread of infectious diseases.
- physical barriers to facilitate social distancing.
- other materials, supplies, or equipment to implement public health protocols, including guidelines and recommendations from the Centers for Disease Control and Prevention for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff during the qualifying emergency.
- expanding capacity to administer coronavirus testing to effectively monitor and suppress coronavirus, to conduct surveillance and contact tracing activities, and to support other activities related to coronavirus testing for students, teachers, and staff at the non-public school.
- educational technology (including hardware, software, connectivity, assistive technology, and adaptive equipment) to assist students, educators, and other staff with remote or hybrid learning.
- redeveloping instructional plans, including curriculum development, for remote learning, hybrid learning, or to address learning loss.
- leasing of sites or spaces to ensure safe social distancing to implement public health protocols, including guidelines and recommendations from the Centers for Disease Control and Prevention.
- reasonable transportation costs; [or]
- initiating and maintaining education and support services or assistance for remote learning, hybrid learning, or to address learning loss

Public Control of Funds:

Control of funds for services and assistance provided to a nonpublic school through the EANS II program belongs to RIDE. This includes but is not limited to the procurement process that is utilized to initiate services. A Non-Public school cannot initiate procurement, requests quotes or in any way obligate or give the appearance to obligate funds.

Control of Funds for all tangible goods provided to a nonpublic school through the EANS II program belongs to RIDE. This includes but is not limited to the procurement process that is utilized to initiate services. A Non-Public school cannot initiate procurement, requests quotes or in any way obligate or give the appearance to obligate funds. In addition, RIDE will retain title to materials, equipment and property purchased EANS II funds. All materials, equipment and/or other property must be labeled as Property of the State of Rhode Island. This directive does not apply to any purchases for goods, equipment or property that is considered a consumable

Equipment or supplies that are no longer needed to implement the EANS II program, or once the end of the program has been reached – RIDE must remove them from the private school

Once the equipment and supplies are no longer needed for the purposes of the EANS II program, RIDE may continue to allow the Non-Public school to use the equipment or supplies to the extent they are needed for other allowable purposes under another federal education program, such as Title I or the Individuals with Disabilities Education Act (IDEA), etc. Further information will be provided as warranted by a change in the Federal Guidance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Dunham", is written over a faint, light blue circular watermark or stamp.

Mark Dunham
Director of Finance
Rhode Island Department of Education